

FAS-930
(Proposal 4)U.S. DEPARTMENT OF AGRICULTURE
Foreign Agricultural ServiceTRADE ADJUSTMENT ASSISTANCE (TAA) FOR FARMERS
PETITION FOR CERTIFICATION AND ELIGIBILITY FOR A GROUP OF PRODUCERS

NOTE: The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is the Trade Adjustment Assistance for Farmers, (Pub. L. 107-210). The information will be used to determine program eligibility. Furnishing the requested information is voluntary. Failure to furnish the requested information will result in denial of program benefits. This information may be provided to other agencies.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0551-00XX. The time required to complete this information collection is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO THE ADDRESS LISTED BELOW.

Please complete all requested information in this form and return it to the following address.

U.S. Department of Agriculture
Import Policies and Programs Division/FAS
1400 Independence Ave., S.W.
Stop 1021
Washington, DC 20250-1021

If you need assistance, telephone 202-720-2926 or e-mail your questions to (special e-mail account to be created).

1. Name of Authorized Representative or Primary Contact <u>Janice Moore</u>		2. Name and Business Address (Including City, State, and Zip Code) <u>R. J. Ranch</u>	
3. Telephone Number (Including Area Code) <u>559 591 2275</u>		5. E-Mail Address <u>grannyjanny47@yahoo.com</u>	
4. Fax Number (Including Area Code) <u>559-562-6732</u>			
6. This petition is made on behalf of the following producers: (Use separate sheet for additional producers)			
A. Name of Producers	B. Mailing Address	C. Telephone No. (Including Area Code)	D. E-Mail Address
<u>Janice Moore</u>	<u>[REDACTED] Dinuba, CA 93418</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>Anthony Giefer</u>	<u>[REDACTED] Lindsay CA 93247</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>Rick Crocker</u>	<u>[REDACTED] Strathmore, CA 93267</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>Lowell Crocker</u>	<u>[REDACTED] Lindsay CA 93247</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>EVERLYN Zerger</u>	<u>[REDACTED] Reedley CA 93654</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>

7. COMMODITY INFORMATION:	
A. Description of the raw (excludes processed) agricultural commodity: (eg., fresh raspberries)	B. Commodity's Harmonized Tariff Schedule (HTS) number (HTS can be found at: http://www.fas.usda.gov/ustrade/)
<u>Oranges</u>	<u>0805.20.00</u>
C. This petition is for the most recent marketing year for the commodity beginning in <u>Nov 2002</u> and ending <u>May 2003</u> (month/year) (month/year)	
D. Check whether the certification is to cover a commodity produced nationally or in an "impacted" area (state or states):	
<input type="checkbox"/> National <input checked="" type="checkbox"/> State(s) (list): <u>California</u>	

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8. If Item 7D "National" is checked, provide the national average annual price for the most recent marketing year and the 5 preceding marketing years. If Item 7D "State(s)" is checked to indicate that the petition is for an impacted area, provide the relevant average price for the most recent marketing year and the 5 preceding years, and specify the months being averaged if the price is for less than 12 months (seasonal price).

(NOTE: National price data is available for many raw agricultural commodities from the Department's National Agricultural Statistical Service (NASS) at: www.usda.gov/nass).

A. Marketing Years		B. Average Annual Price				
Most recent	2001-2003	\$ 1.80 Per Carton				
Provide prices for the 5 years prior to the most recent marketing years. Beginning with the most recent.		1 Year ago: 2001-2002	2 Years ago: 2000	3 Years ago: 1999	4 Years ago: 1998	5 Years ago: 1997
		\$ 5.60	\$ 1.14	\$ 3.54	\$ 3.51	\$ 3.78

9. Basis for request for adjustment assistance. Please explain or attach any documents, which show how increased imports have affected the national price of your product during the most recent marketing year. In your description include any other factors which may also have contributed to lower producer prices.

The increased imports of Spanish Clementines from Spain and Mexico have ruined our commodity prices. The free trade with Mexico and other countries doesn't make fair trade with our products as our labor costs do not compare to theirs nor do their high tariffs compared to our low tariff for them. A much higher quality of fruit is also demanded of us as a proper quality they are allowed to flood our markets with. Many of our farms have to be sold because costs exceed what we are getting for our products.

10A. SIGNATURE OF AUTHORIZED REPRESENTATIVE OR PRIMARY CONTACT	10B. TITLE	10C. DATE SIGNED
<i>Janice M. [Signature]</i>	owner	9/08/03
11A. SIGNATURE OF FAS REPRESENTATIVE	11B. TITLE	11C. DATE

Trade barriers also hurt our farmers

Less restricted global trade was the big loser when the World Trade Organization talks concluded without an agreement in Cancun, Mexico, last weekend.

It was widely regarded as a defeat developed nations in not winning support for trade rules that would have expanded markets for them but without granting the concession of lowering their own trade barriers.

In fact, it was also a defeat for developing countries, who ended up gaining no ground in their pursuit of a more level playing field to sell their products, especially their agricultural products.

In some ways it was also a defeat for California farmers, especially in the San Joaquin Valley, who are fighting many of the same unfair trade barriers that farmers in South America and Asia are fighting.

The San Joaquin Valley is an interesting position. Most of its agriculture producers do not accept domestic subsidies, and the ones who do would rather not, including those in dairy. So they are not in the same position as the big grain producers of the Midwest, who accept and welcome domestic subsidies and foreign price supports.

The United States isn't even the biggest offender of subsidies and tariffs. The European Union has set its tariffs on imports so high that the United States cannot compete in their markets. The United States shares that with developing nations such as Brazil and Chile, who want to sell their agriculture products overseas but run into obstacles.

The point is, the interest of San Joaquin Valley farmers on free trade is closer to the farmers in Mexico and Chile than to the position of the farmers in France, or even the big soy bean producers in Iowa. For that reason, it's important for this area that WTO negotiations eventually result in an agreement that provides a truly level playing field for all nations, developed or not, especially in agricultural products.

The collapse of talks in Cancun ought to lead to a renewed interest in such an agreement, although any progress will depend on some relaxation of European stubbornness on the subject of their agriculture industry. It is clear the European Union is more interested in protecting its ag industry than in promoting an efficient system with fair pricing and access.

Meanwhile, the United States ought to continue to set a standard of opposition to trade barriers. That will mean reform in this country as well. Progress in free trade will not come from the United States continuing an alliance with wealthy

Richard Blabey

09/29/2003 04:46 PM

To: grannyjanny7@yahoo.com
cc: Jean-Louis Pajot/ITP/Fas@Fas
Subject: Petition for Trade Adjustment Assistance

We have received by fax your petition for trade adjustment assistance.

Box 7a on the petition describes your raw agricultural commodity as "oranges." However, in box 9 of the petition, you state that "increased imports of Spanish Clementines have ruined our commodity prices."

Is your petition being filed on behalf of "orange" producers, which would include producers of all orange varieties in California, or is your petition being filed on behalf of producers of clementines in California?

Furthermore, is the price data you provide in box 8b for oranges or clementines?

By completing box 7b, you can help answer the above questions. The Harmonized Tariff Schedule of the United States is a numbering system used by the U.S. Customs to identify products in order to assess them the proper import duty. The Commerce Department uses the numbers to compile import statistics.

For example, oranges have the number 0805.10.00.

temples are 0805.10.00.20

other oranges are 0805.10.00.40

Mandarines (including tangerines and satsumas) are 0805.20.00.20

Clementines, wilkings and similar citrus hybrids are 0805.20.00.40

From checking U.S. import data for oranges that can be accessed on our FAS web site, imports declined by 50 percent during the 72-73 marketing year. However, if we look at imports of clementines - 0805.20.00.40 from Spain and Morocco, imports increased by 55 and 263 percent during the same period. (FYI: Since you entered "oranges" as your commodity in box 7a, your petition would be automatically rejected if we were to accept it as it is now written, because under the TAA law, imports have to increase during the marketing period.)

Please resolve the above questions for us so we can formally receive your petition. Notice that a petition has been received is published in the Federal Register. After publication, USDA has 40 days to decide whether or not to certify the petition and approve producers for trade adjustment assistance. During that period, the Economic Research Service will review your price data to determine average prices received by producers in California. ERS will probably check your prices against official price data collected by state and federal authorities.

For additional information about the program, you may want to visit our web page at www.fas.usda.gov/itp/taa/taaindex.htm

Richard Blabey

Director

Import Policies and Programs Division/ITP

Clementines



"Janice Moore"
<grannyjanny7@yahoo.com>
12/10/2003 09:19 PM

To Richard.Blabey@fas.usda.gov
cc
bcc
Subject Re: Trade adjustment assistance

Dear Richard

Regarding the clementines: they hit our markets just when our oranges become ripe for marketing and they flood the markets and lower our prices. We cannot compete fairly because our labor costs are much higher. Many of our ranches have gone up for sale because of this. We can't recover our production costs.:

Sincerely Janice Moore

Dear Ms. Moore,

On September 29, we sent you a message by email regarding your petition for Trade Adjustment Assistance (TAA) for Farmers. In it, we asked some questions regarding clementines and oranges. We have not filed your petition pending a reply. In recent weeks, additional data has become available regarding imports of both commodities that may have a bearing on your petition.

Please respond by December 10, if you still wish your petition to be filed and then considered for TAA. Please provide a brief statement explaining why you believe clementines to be directly competitive in the market with oranges. Under our regulations, oranges and clementines are not like products (or the same products) because they are imported under different tariff codes. However, if they are determined by the Administrator of the Foreign Agricultural Service to be directly competitive, imports of clementines may be considered as a cause for the orange price decline.

If we do not hear from you by December 10, we will return your petition.

Sincerely,

Richard Blabey
Director
Import Policies and Programs Division/ITP

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